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5 Attorneys for Non-Parties  
6 SANDSTONE GROUP, LLC,  
TYTO LIDAR, LLC, and  
OGNEN STOJANOVSKI

8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
10 **SAN FRANCISCO DIVISION**

12 WAYMO LLC

Case No. 3:17-cv-00939-WHA

13 Plaintiff,

14 v.

15 UBER TECHNOLOGIES, INC.;  
16 OTTOMOTTO LLC; OTTO TRUCKING LLC

17 Defendants.

**DECLARATION OF ADRIAN J. SAWYER  
IN SUPPORT OF WAYMO LLC'S  
ADMINISTRATIVE MOTION TO FILE  
UNDER SEAL ITS CORRECTED  
SUPPLEMENTAL BRIEF IN SUPPORT  
OF ITS MOTION FOR ORDER TO SHOW  
CAUSE WHY DEFENDANTS SHOULD  
NOT BE HELD IN CONTEMPT OF THE  
PRELIMINARY INJUNCTION ORDER  
AND EXPEDITED DISCOVERY ORDER**

1 I, Adrian J. Sawyer, hereby declare as follows:

2 1. I am an attorney licensed to practice before all courts of the State of California. I  
 3 am a partner in the law firm of Kerr & Wagstaffe LLP, attorneys for non-parties Sandstone  
 4 Group, LLC, Tyto LiDAR, LLC, and Ognen Stojanovski. I have personal knowledge of the  
 5 matters stated herein and if called upon would testify competently thereto.

6 2. I make this declaration in support of Waymo's Administrative Motion to File  
 7 Under Seal Its Supplemental Brief in Support of Its Motion for Order to Show Cause Why  
 8 Defendants Should Not be Held in Contempt of the Preliminary Injunction Order and Expedited  
 9 Discovery Order (Dkt. 1501). I have reviewed the Administrative Motion to File Under Seal  
 10 (the "Administrative Motion"), together with Waymo's Corrected Supplemental Brief in Support  
 11 of Its Motion for Order to Show Cause Why Defendants Should Not be Held in Contempt of the  
 12 Preliminary Injunction Order and Expedited Discovery Order (the "Supplemental Brief") (Dkt.  
 13 1501-3), and those exhibits to the Supplemental Brief sought to be filed under seal.

14 3. Tyto LiDAR and Sandstone Group are non-parties and are existing limited  
 15 liability companies. All information designated by Tyto LiDAR or Sandstone Group and  
 16 included in the Supplemental Brief was designated confidential; none was designated highly  
 17 confidential/AEO by Tyto LiDAR or Sandstone Group.

18 4. Exhibit 4 to the Supplemental Brief consists of portions of the deposition of  
 19 Anthony Levandowski, taken in this action. The yellow<sup>1</sup> highlighted portions of Exhibit 4 reflect  
 20 confidential information regarding the ownership and structure of non-party Sandstone Group,  
 21 financing of Sandstone Group, the ownership of Tyto LiDAR, and the financing of Tyto LiDAR.  
 22 Because Sandstone Group and Tyto LiDAR are non-parties and existing private companies, they  
 23 request that their confidentiality interests in this ownership and financing information be  
 24 respected in this proceeding.

25 5. Exhibit 7 to the Supplemental Brief consists of two separate documents  
 26 combined. The first document, labeled SANDSTONE 000001-000002, Sandstone Group's  
 27 Articles of Organization, has been publicly filed with the Secretary of State. Sandstone does not

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28 <sup>1</sup> Waymo erroneously refers to "orange" highlighting in the Administrative Motion.

1 contend that it is confidential, and will remove the confidentiality designation in the footer. The  
2 second document, SANDSTONE 000003-000007, is the Operating Agreement of Sandstone  
3 Group, LLC. It has not been filed with the Secretary of State and remains confidential. The  
4 Operating Agreement contains confidential information regarding Sandstone Group's ownership,  
5 operations, and finances. Sandstone Group is a non-party and existing private company and as  
6 such is entitled to confidentiality in its ownership, operations, and finances.

7       6. Exhibits 10 and 11 to the Supplemental Brief reflect confidential operational  
8 information of Tyto LiDAR, namely equipment purchases.

9       7.     Exhibit 12 to the Supplemental Brief reflects confidential proprietary and  
10 operational information of Tyto LiDAR, namely information related to product development,  
11 product and prototype design, equipment purchases, and software purchases.

12        8.      Waymo's request to seal is narrowly tailored to those exhibits to Waymo's  
13 Supplemental Brief that merit sealing.

15 I declare under penalty of perjury under the laws of the United States of America that the  
16 foregoing is true and correct. Executed this 14th day of September, 2017 at San Francisco,  
17 California.

/s/ Adrian J. Sawyer  
**ADRIAN J. SAWYER**